

CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT

Project #: 1008282
Property Description/Address: 7600 Lomas Blvd NE, Lots 1-A,B,C,D,E, Block 16, Del Norte Subdivision

Date Submitted: May 8, 2010
Submitted By: Diane Grover

Meeting Date/Time: May 6, 2010, 5:30 p.m.
Meeting Location: New Hope Baptist Church, 1901 Pennsylvania NE
Facilitator: Diane Grover
Co-facilitator: n/a

Parties:

Diamond Shamrock, Applicant, represented by
Vincent Carrica, Tierra West, LLC, Agent
La Mesa Community Improvement Assn ("LMCIA")

Invited but not in attendance:
Jerry Cline Park N.A.

Note: Individual names can be found at the end of this report.

Background/Meeting Summary:

Diamond Shamrock requests a special exception to Section 14-16-3-10(E)(3)(b): a variance of 6' to the 6' side yard landscape buffer area requirement for a proposed addition AND a special exception to Section 14-16-3-10(E)(3)(b): a variance of 10' to the 10' front yard landscape area buffer requirement for a proposed addition for property at 7600 Lomas Blvd NE.

Agent Vince Carrica of Tierra West, LLC, presented plans for an addition to house a 14'x 22' walk-in cooler for on-site storage of restock items for the existing refrigerated shelves. The applicant is **not** seeking a liquor license.

The addition of the cooler triggers the need for the applicant to bring the site into code for things previously excepted by grandfathering. The 10' landscape buffer in front would pose a problem with the existing pumps and drive through, car passing lane; the side yard buffers with the drive aisle and access easements. The applicant intends to meet code in regards to having landscaping on 15% of the lot less the square footage of the building, but is requesting exceptions on the landscape buffers.

This meeting was attended by one neighbor, Nancy Bearce, who is the vice president of LMCIA, and will report back to her group, after which the group will submit their opinion to the City and, at the same time to the applicant through its agent. Nancy suggested the addition of a bicycle

rack, which the agent is happy to take back to the applicant. She also thought that planned pedestrian access to Lomas was a good idea, but doesn't really lead anywhere. She thought neighbors might like to see pedestrian access encouraged where San Pablo dead ends. Vince did not know if any arrangement had been made for this in the past, or if they could really encourage cut through pedestrian traffic into another lot, but said he would check into it and if it were feasible, get back with Nancy in regards to this issue.

From a personal perspective, Nancy thought plans were well thought out and an improvement to the neighborhood. She felt that neighborhood concerns were around the purpose for the added refrigeration. She said neighbors definitely do not want any more liquor licenses in the area after just spending 9 months with that potential at the new CVS. Agent assured her that they are not asking for a liquor license.

Outcome:

Areas of Agreement:

- Vince and Nancy agreed that pay phones can attract drug activity and the applicant is working to see if they can have the existing one removed.
- Vince agreed to look into the possibility of encouraging pedestrian access at the point that San Pablo dead ends to see if anything has been arranged in the past. If there is feasibility for this, he will get back with Nancy on it.
- Vince agreed to take back to applicant Nancy's suggestion for adding bike racks.

Unresolved Issues, Interests and Concerns:

- Feasibility of encouraging pedestrian access at the point where San Pablo dead ends
- Applicant response to request for bike rack

Meeting Specifics:

- 1) Applicant Presentation
 - a) Diamond Shamrock being purchased by Valero
 - b) Remodel
 - i) 14' x 22' addition planned for walk-in cooler
 - ii) Need ability to restock refrigerated shelves from on-site storage
 - c) Uniqueness of this store
 - i) On-site larger back office utilized as home office/regional office/training space
 - d) Acclamation
 - i) Lomas to the north
 - ii) Lottaberger to the west
 - iii) Empty DQ to the east (for sale)
 - iv) Extension being built on the west side
 - e) Addition triggers need to bring site to code by adding
 - i) 10' landscape buffer along Lomas (to the north)
 - ii) 6' landscape buffer at the sides
 - f) Buffers at Lomas and on sides
 - i) Gas pump and room for cars to pass precludes 10' buffer

- (1) Don't want to leave customers having to back up after fill up
 - ii) Drive aisle and access easements precludes side buffers
- g) Applicants will comply with requirement for landscaping on 15% of site (less square footage of building)
 - i) At east and south property lines
- h) Planning minor improvements
 - i) Sidewalks around the building
 - ii) Pedestrian connection from front of store to Lomas
 - iii) City code dumpster
 - iv) 1 handicap parking space; 9 regular spots plus motorcycle (spaces at pump also count as additional parking spaces)
 - v) Additional spaces planned due to regional training
- 2) Questions and concerns raised by neighbor
 - a) Parking on the east side
 - i) Not planned because of the doors
 - b) Would like to see bicycle racks
 - i) Applicant had not thought of this; agent will suggest to applicant
 - c) Would like to have pedestrian traffic encouraged at walk-through where San Pablo dead ends
 - i) Agent concerned that encouraging cut through of another lot could be problem
 - ii) Vince will check if pedestrian access was set up in the past.
 - iii) Will follow up with neighbors if there is any possibility (will "Reply all to report distribution email)
 - d) Existing pay phone
 - i) Applicant working towards removing if possible
 - ii) Neighbor would like removed
 - iii) Both agree attracts drug activity
 - e) Proposed landscaping
 - i) 15' depth
 - ii) Depressed beds for runoff and water harvesting
 - iii) Using City planting palette
 - iv) Using Hilltop for landscaping
 - v) Spanish broom on either side of light pole on south
 - vi) Western Red Cedar Trees adjacent to Spanish broom
 - vii) Maples on west side
 - viii) Additional small plantings
 - ix) South boundary will have concrete curb along the back side
 - (1) Removing pavement; adding header curb
 - (2) Will have 8" barrier (curb) to the alleyway on the south side
 - f) Lighting
 - i) No plans to change except adding on west side if not already there
 - g) Alleyway
 - i) Has not truly been vacated – applicant treating as if still an alleyway access

Action Plan:

Nancy will bring plans back to LMCI. The group will submit their opinion on the project to the City and will copy agent. Vince will take Nancy's requests back to applicant.

Action Items:

- Vince will suggest bicycle rack to applicant at neighbor's suggestion
- Vince will look into what arrangements may have been made in the past, if any, for pedestrian walk-through at dead-end at San Pablo and get back with Nancy if there is any feasibility.

ZHE Application Hearing Details:

- 1) Hearing Scheduled for Tuesday, May 18, 2010
- 2) Hearing Details:
 - a) The Office of the Zoning Hearing Examiner conducts monthly quasi-judicial PUBLIC HEARINGS regarding Special Exceptions to the Zoning Code (Please refer to Section 14.16.4.2 of the Comprehensive City Zoning Code)
 - b) There are certain criteria that applicants must meet in order to obtain an approval of decision for their special exception request.
- 3) Hearing Process:
 - a) Comments from facilitated meetings will go into a report which goes to the Hearing Examiner
 - b) All interested parties may appear at the hearing and voice their opinions or submit written comments prior to the day of public hearing.
 - c) The Zoning Hearing Examiner will render a determination of approval, approval with conditions or denial within 15 days after the close of the public hearing
 - d) The determination can be appealed to the Board of Appeals

Any further questions or comments can be referred to:

Lucinda Montoya
924-3918
Lucindamontoya@cabq.gov

Comments:

Names & Addresses of Attendees:

Vincent Carrica	Tierra West
Nancy Bearce	LMCIA
Shannon Beaucaire	COA, ADR